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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/988,237	11/19/2001	Minoru Ikeda	4554-005	8407

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EXAMINER

NOBAHAR, ABDULHAKIM

ART UNIT	PAPER NUMBER
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2132

DATE MAILED: 09/30/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/988,237

Applicant(s)

IKEDA, MINORU

Examiner

Abdulkhakim Nobahar

Art Unit

2132

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on \_\_\_\_.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-29 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) \_\_\_\_ is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
  - ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_.
  - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)  
Paper No(s)/Mail Date \_\_\_\_.
- 4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date. \_\_\_\_.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: \_\_\_\_.

## **DETAILED ACTION**

### ***Claim Objections***

Claims 4, 5, 12, 13, 18, 19, 26 and 27 are objected to because of the following informalities: These claims contain the acronyms XML and DTD without describing that what they stand for. Appropriate correction is required.

### ***Claim Rejections - 35 USC § 112***

The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

Claims 5, 13, 19 and 27 recite the limitation "for the elements defined in DTD" in lines 4 and 5. There is insufficient antecedent basis for this limitation in these claims.

### ***Claim Rejections - 35 USC § 102***

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

**Claims 1, 2, 4-9, 12-16, 18-23 and 26-29 are rejected under 35 U.S.C. 102(e) as being anticipated by Reitmeier et al (2002/0003881 A1; hereinafter Reitmeier).**

Regarding claims 1, 7, 8, 15, 21, 22 and 29, Reitmeier discloses:

a plurality of information communication terminals that exchange information including a plurality of elements (see, for example, [0031]-[0032]),

wherein, of the plurality of information communication terminals an information communication terminal that transmits the information includes, a security-coupling level setting unit which sets a security-coupling level of the plurality of elements of the information (see, for example, [0005], [0006], [0017], [0019] and [0050]-[0054]);

a dividing rule setting unit which sets a dividing rule that divides the information into a plurality of pieces of loosely coupled information, based on the security-coupling level set by the security-coupling level setting unit (see, for example, [0007]; [0008]; [0023], where scrambled collection of information segments corresponds to the recited plurality of pieces of loosely coupled information);

a dividing unit which divides the information into the plurality of pieces of loosely coupled information, based on the dividing rule set by the dividing rule setting unit (see, for example, Fig. 1, 110A and 110B; [0021]; [0008], where the index table corresponds to the recited dividing rule); and

a transmitting unit which transmits the plurality of pieces of loosely coupled information divided by the dividing unit, and the dividing rule set by the dividing rule setting unit (see, for example, [0003]; [0005]; [0008]; [0054]), and

wherein, of the plurality of information communication terminals an information communication terminal that receives the information includes, a receiving unit which

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receives the plurality of pieces of loosely coupled information, and the dividing rule (see, for example, [0008]; [0017]); and

a re-structuring unit which re-structures the information from the plurality of pieces of loosely coupled information, based on the dividing rule received by the receiving unit (see, for example, [0008]; [0017]; [0025]; [0037]).

Regarding claims 2, 9, 16 and 23, Reitmeier discloses:

The information exchanging system according to claim 1, wherein the transmitting unit further comprises a multi-routing unit which transmits the plurality of pieces of loosely coupled information by using a plurality of transmission paths, and the receiving unit receives the plurality of pieces of loosely coupled information from the plurality of transmission paths (see, for example, [0008]; [0017]; [0054]; [0056]).

Regarding claims 4, 12, 18 and 26, Reitmeier discloses:

The information exchanging system according to claim 1, wherein the information is described in the XML (see, for example, [0016]; [0033], where it is indicated that the Reitmeier invention can be used also for other type of information including XML).

Regarding claims 5, 13, 19 and 27, Reitmeier discloses:

The information exchanging system according to claim 4, wherein the security-coupling level setting unit sets a security-coupling level based on at least one of names, contents, and attributes of the elements, for the elements defined in the DTD (see, for

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example, [0026]; [0053], where the security level depends upon the size of the segments of data).

Regarding claims 6, 14, 20 and 28, Reitmeier discloses:

The information exchanging system according to claim 1, wherein the loosely coupled information includes re-coupling information for re-coupling information in the information terminal device at the receiving side, and the dividing rule includes information for specifying a correspondence between the loosely coupled information and the re-coupling information (see, for example, [0008]; [0018], where the index table that corresponds to the recited dividing rule, transmitted to the subscribers to be used for the rearrangement of the scrambled data segments to their original order).

### ***Allowable Subject Matter***

Claims 3, 10, 11, 17, 24 and 25 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

### ***Conclusion***

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

US Patent No. 5,305,318 A to Ozeki et al.

US Patent No. 5,781,598 A to Hardy.

US Patent No. 6,591,272 B1 Williams.

US Patent No. 6,732,331 B1 to Alexander.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Abdulhakim Nobahar whose telephone number is 571-272-3808. The examiner can normally be reached on M-T 8-6.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Gilberto Barron can be reached on 571-272-3799. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Abdulhakim Nobahar  
Examiner  
Art Unit 2132 *AN*

September 22, 2005

*Gilberto Barron Jr.*  
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SUPERVISORY PATENT EXAMINER  
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